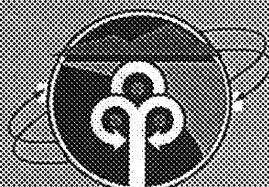


it's time to **cleanOut**

unwanted
chemicals!

NetWaste, the NSW Environment Protection Authority (EPA) and local Councils are working together to provide a **safe and easy disposal service for unwanted or out-of-date chemicals at home.**

This is a free service for the safe disposal of a range of common household chemicals, many of which could cause harm if not disposed of correctly.



NetWaste
A COLLABORATIVE APPROACH

NSW
EPA

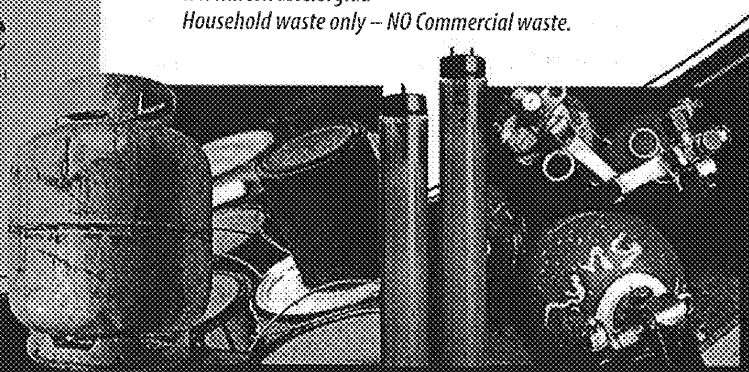
Here's your chance to Cleanout...

- Paint & paint related products (strippers, thinners, varnish etc)
- Pesticides, herbicides and poisons
- Solvents and household cleaners
- Household batteries (not lead acid)
- Gas bottles
- Fire Extinguishers
- Pool chemicals
- Acids and alkalis; hobby chemicals (eg. Photography chemicals)
- Fluorescent tubes and smoke detectors
- Pharmaceuticals

Items NOT accepted include...

- Tyres
- Empty containers
- Asbestos
- Explosives
- General rubbish
- Flares
- Infectious waste
- Mobile phones

For further information, contact your local Council or visit
www.netwaste.org.au
Household waste only – NO Commercial waste.



it's time to **cleanOut** unwanted chemicals!

Helpful Hints!

- NEVER MIX CHEMICALS as this may produce dangerous reactions
- Try to keep all chemicals in their original containers
- Ensure containers are clearly labelled & well sealed. If you do not know what is in the container, label it "UNKNOWN CHEMICAL"
- Liquid can leak during transport. Wrap containers holding liquids securely in newspaper & place them into sturdy plastic bags, then pack them in plastic buckets or trays
- Keep household chemicals away from passengers, eg in the boot
- A range of other items such as chemical drums, mobile phones and e-waste can be recycled through other means—ask your local Council or visit www.recyclingnearyou.com.au
- This service is for household quantities only and is not available to businesses or for commercial quantities

NetWaste 2013 Household Chemical Cleanout

Location	Day	Date	Collection times
Bathurst Cooke Hockey Complex	Friday	18-Oct-13	8am-4pm
Blayney Waste Depot	Saturday	2-Nov-13	1pm-4pm
Broken Hill Waste Depot	Saturday	26-Oct-13	1pm-4pm
Condobolin Sportsground	Wednesday	16-Oct-13	8am-4pm
Cowra Waste Facility	Monday	14-Oct-13	1pm-4pm
Dubbo Showground	Sunday	27-Oct-13	8am-4pm
Eugowra Waste Depot	Tuesday	15-Oct-13	8am-11am
Forbes Council Depot	Thursday	17-Oct-13	8am-11am
Gilgandra Waste Management Facility	Friday	25-Oct-13	8am-11am
Grenfell Waste Depot	Thursday	17-Oct-13	1pm-4pm
Lithgow Council Depot	Sunday	10-Nov-13	8am-11am
Mudgee Waste Facility	Saturday	9-Nov-13	1pm-4pm
Narromine Waste Depot	Saturday	26-Oct-13	8am-11am
Oberon Waste Depot	Saturday	2-Nov-13	8am-11am
Orange Resource Recovery Centre	Saturday	26-Oct-13	8am-4pm
Parkes Works Depot	Wednesday	23-Oct-13	8am-11am
Wallerawang Council Depot	Sunday	10-Nov-13	1pm-4pm
Wellington Waste Transfer Station	Thursday	24-Oct-13	1pm-4pm

www.netwaste.org.au

The General Manager
Blayney Shire Council
91 Adelaide Street
BLAYNEY NSW 2799

9 Rosebery Place
BLAYNEY NSW 2799
6 August 2013

Dear Sir,

Re: Amendment of Blayney EP 2012 – Beaufort Street, Blayney

In regard to reclassifying Beaufort Street from 'Community' to 'Operational' land, we feel that this plan is unsatisfactory due to:

The wetness of the land;
A water levy was placed on some of the land to stop water run-off into adjoining lands;
We really would not like to look out into someone's backyard & vice versa;
We were told that this land was always to be made into a children's parkland;
Years ago Council would not contribute to our boundary fence (adjoining park).

We therefore object to this proposal.

Yours faithfully,

Peter & Ruth Davis



To

The General Manager
Blayney Shire Council
P.O. Box 62
Blayney NSW 2799.

4 Norton Close
Blayney
NSW 2799

19-8-'13

Dear Sir,

My name is Christine Hibbert and I am one of the unfortunate people who happen to live in the area involved in the planning proposal to change the classification of the land behind my house to make new buildings / units etc.

When you buy a house with a view, you should be entitled have a say in what happens to the view. As a rate-payer I do not want to be huddled among lots of close neighbours etc.

But what makes me really sad is the fact that you are stealing a free play area from the children, who play ball games and ride their bikes (there are very few of parks to just run free in) left in Blayney.

I just hope that we do not end up with an overcrowded area of ugly rented houses - hidden away from view and so ignored.

Yours faithfully
b. e. Hulbert

3 Beaufort Street
Blayney N.S.W 2799
mcollins@hotmail.net.au
27th August 2013

Mr Glenn Wilcox
General Manager
Blayney Shire Council
PO Box 62
Blayney NSW 2799

Dear Sir

Thank you for notifying me of a proposal to reclassify 1 Beaufort Street from 'Community' to 'Operational' land.

As I live at 3 Beaufort Street Blayney the change will impact on me, I have lived here since 13th February 1984. I know that I have little say in what is done with 1 Beaufort Street Blayney but do wonder why it was left as a Public Reserve instead of being carved up a residential land in 1973. Could it have something to do with the area being known as "frog hollow" by the locals? I know you will say that so much land had to be left as open land and this is why the public reserve was made. I think from the experience of living at 3 Beaufort Street for nearly thirty years is that 1 Beaufort Street was made a public reserve in 1973 by The Lyndhurst Shire Council because they were aware that the area could flood and be inundated with large volumes of water in heavy down pours and prolonged wet periods.

My main concerns about making 1 Beaufort Street residential is how the land will have to be changed/developed to enable someone to build next to 3 Beaufort Street. For many years after I moved into 3 Beaufort Street the block known as 1 Beaufort Street was a paddock fenced with sheep and cows grazing in it. The fence was removed and 1 Beaufort Street became an open area. Sometime prior to February 1997 the council put a drain in 1 Beaufort Street adjacent to the southern boundary of Lot 7 Norton Place to the middle of the cul-de-sac in Beaufort Street near the telegraph pole. I have included photographs taken on 11th February 1997 after a 77mm downpour in which to my memory is the only time I saw the drain actually take storm water off 1 Beaufort Street. The 77mm was a thunderstorm which lasted less than one hour. At the height of the rainfall the gutter at the top of my driveway was unable to cope with all the water and the water was running down my driveway. Some of the water went into my garage and the rest of the water run under my house and into my back yard. This is the only time I have had water run into my garage. Since then the drain has only drained water down along the boundary of 3 Beaufort Street and into holes above southern boundary of the Roseberry Place residential blocks and down the laneway between Lot 2 and lot 3 Roseberry Place.

I note that the photographs included in the planning proposal were taken when the ground was dry and straight after it had been slashed. I have to say it doesn't look like that very often. The photographs don't really show the lumps and bumps that are in the area between the drain and the back of the residential blocks in Roseberry Place where the water lies in prolonged wet periods.

I was little amused about in the justification section 10 about ongoing maintenance cost of the land at 1 Beaufort Street, the only real maintenance I have witnessed in the nearly thirty years I have lived here is that a drain was put in which doesn't drain water of 1 Beaufort Street properly, two loads of gravel were put along the boundary 1 and 3 Beaufort Street and in the lane way between 2 and 3 Roseberry place and that the block gets the grass slashed 2-3 times a year. I must say the gentleman who slashes the grass does do a beautiful job of slashing the grass.

I am enclosing photographs from December 2010 showing how the water lies following prolonged wet periods in 1 Beaufort Street next to 3 Beaufort Street.

Over the years I have had to make changes to my backyard to help with drainage but I have always been mindful of what I do may impact on my next door neighbour whose block is lower than my back yard. I am aware that 1 Beaufort Street is not the only low lying ground that gets water logged in Blayney but I have only lived at 3 Beaufort Street Blayney so this is my only experience in Blayney.

So in conclusion my main concern is about the management of water drainage in 1 Beaufort Street, that any improvement of the drainage not adversely impact on the residents surrounding 1 Beaufort Street. I hope the photographs I have included demonstrate what I am trying to say about how wet it becomes in 1 Beaufort Street near my boundary and how ineffective the drain is.

I am not making any comments about the changes to 11 Beaufort Street Blayney as this has no impact on me. Thank you for your time and I hope the council makes a decision that is right for the residents surrounding 1 Beaufort Street Blayney for both now and into the future.

Yours Sincerely,



Maree Collins



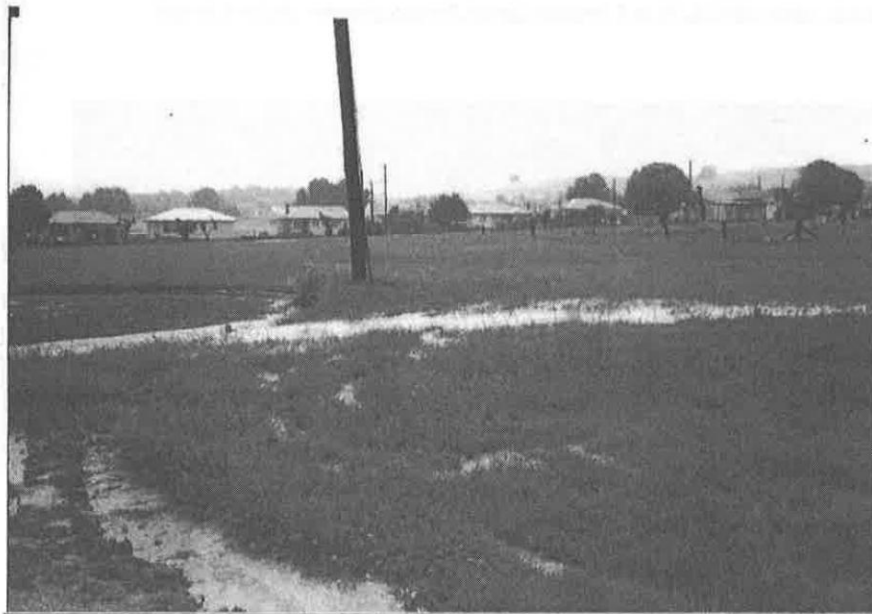
Photograph taken c1985-1991 of 1 Beaufort Street Blayney showing the land fenced



Photograph taken 1992 of 1 Beaufort street Blayney showing fencing and long grass



Photograph taken early 1990's of 1 Beaufort Street Blayney



Photograph taken 11th February 1997 after 77mm storm which lasted for approximately one hour.
This photograph shows the cul-de-sac end of the drain in 1 Beaufort Street Blayney and water
draining back into lower part of 1 Beaufort Street Blayney



Photograph taken 11th February 1997 showing water running into cul-de-sac from the drain in 1 Beaufort Street Blayney



Photograph taken 11th February 1997 the Photograph shows the top end of the driveway of 3 Beaufort Street Blayney .Some of the water can be seen running down the driveway.



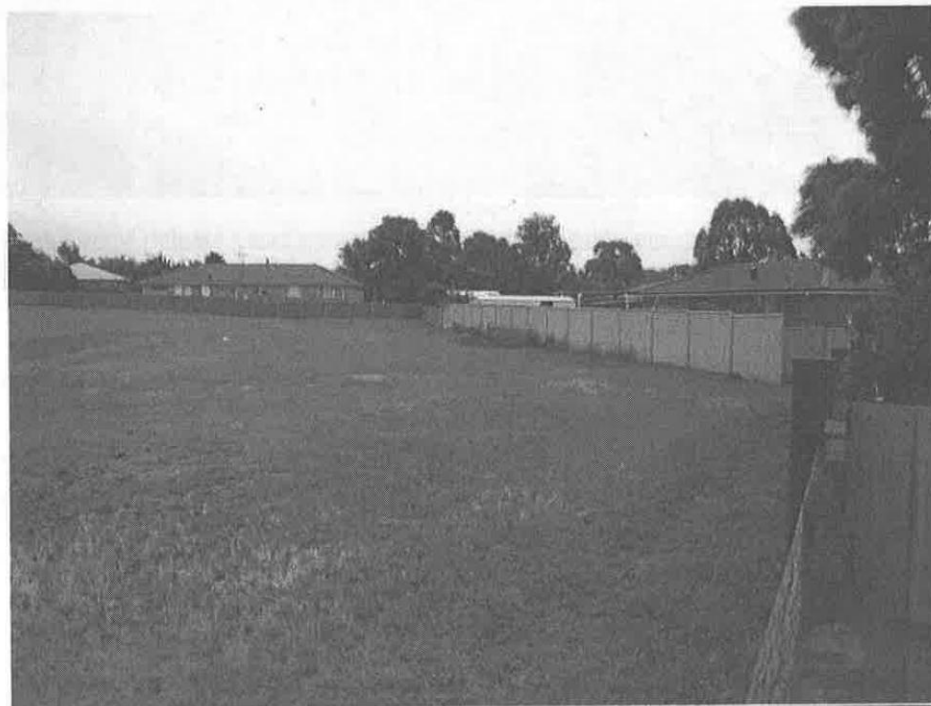
Photograph taken 11th February 1997 showing how the water lay below the drain in 1 Beaufort Street Blayney and ran along the boundary of 3 Beaufort Street Blayney into the laneway to Roseberry Place Blayney



Photograph taken 30th June 2000 showing water lying in 1 Beaufort Street Blayney



Photograph taken 17th August 2002 showing what 1 Beaufort Street Blayney looked like from 3 Beaufort Street Blayney



Photographs taken 1st December 2010 of 1 Beaufort Street Blayney from 3 Beaufort Street Blayney



Photographs taken 1st December 2010 of 1 Beaufort Street Blayney from 3 Beaufort Street Blayney



Photograph taken 26th December 2010 of 1 Beaufort Street Blayney from 3 Beaufort Street Blayney





Planning &
Infrastructure

Contact: Erin Strong
Phone: (02) 6841 2180
Fax: (02) 6884 8483
Email: Erin.Strong@planning.nsw.gov.au
Postal: PO Box 58, Dubbo NSW 2830

Our ref: PP_2013_BLAYN_002_00 (13/10995)

Mr Glenn Wilcox
General Manager
Blayney Shire Council
PO Box 62
BLAYNEY NSW 2799

Dear Mr Wilcox,

Planning proposal to amend Blayney Local Environmental Plan 2012

I am writing in response to your Council's letter dated 28 June 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to reclassify Lot 19 DP 244853 at 1 Beaufort Street and Lot 7 DP236443 at 11 Beaufort Street, Blayney from 'community' to 'operational' land.

As delegate of the Minister for Planning and Infrastructure, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis of the sites zoning and the presence of existing public open space in the area. No further approval is required in relation to this Direction.

Council is reminded of its obligations for undertaking a public hearing and providing adequate information regarding the discharge of any interests in relation to the proposed reclassification of land in accordance with the department's practice note *PN09-003, Classification and reclassification of public land through a local environmental plan*.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation because the Governor's approval is required for the reclassification of land. Reclassification proposals where the Governor's approval is required cannot be delegated back to council.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the department to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Ms Erin Strong of the regional office of the department on (02) 6841 2180.

Yours sincerely,



Neil McGaffin
Executive Director
Rural and Regional Planning
Planning Operations and Regional Delivery

18.7.13



Planning &
Infrastructure

Gateway Determination

Planning proposal (Department Ref: PP_2013_BLAYN_002_00): to reclassify land at Blayney from 'community' to 'operational' land.

I, the Executive Director, Rural and Regional Planning at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Blayney Local Environmental Plan (LEP) 2012 to reclassify Lot 19 DP 244853 at 1 Beaufort Street and Lot 7 DP236443 at 11 Beaufort Street, Blayney from 'community' to 'operational' land should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning & Infrastructure 2013).
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. A public hearing is not required to be held into the matter under section 56(2)(e) of the EP&A Act. However, a public hearing is required to be held into the matter in accordance with the department's practice note PN09-003, as the planning proposal involves a reclassification of land from community to operational.
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 18th day of July 2013.

A handwritten signature in blue ink, appearing to read 'Neil McGaffin'.

Neil McGaffin
Executive Director
Rural and Regional Planning
Planning Operations and Regional Delivery
Department of Planning and Infrastructure

Delegate of the Minister for Planning and Infrastructure

Report on the public hearing for the proposed reclassification of Council owned land

Blayney Council

11 September 2013

Contact:

Heather Nicholls

Heather.nicholls@cabonne.nsw.gov.au

Contents	page
Introduction – the public hearing	3
Proposed reclassification sites	3
Legislative context	4
Consideration of sites	4
Reasons for reclassification	4
Council’s proposed future use of the land	4
Verbal submission	5
Summary of issues	5
Recommendation	5
Next step	6

Introduction

The public hearing

The public hearing on the proposed reclassification of land from 'community' to 'operational' in the Blayney Local Environmental Plan 2012 was independently chaired by Heather Nicholls on Wednesday 11 September 2013 from 4.30pm to 4.50pm.

The public hearing was advertised in the Blayney Chronicle on Thursday 15 August 2013. The hearing was held at the Blayney Community Hall at Blayney Council, Church Street, Blayney.

The public meeting was attended by one (1) community member. The participant attended the meeting initially as an observer, having already submitted a written objection relating to one of the two sites, and subsequently chose to speak to her submission. There were no representations to the public hearing for the second site. No written submissions were provided at the hearing.

The meeting was opened by Heather Nicholls. For the records, Mrs Nicholls has not been an employee of Blayney Council or held position of a Councillor for Blayney Council.

Leon Rodwell, Director Environmental Services, Blayney council gave an overview of the council's Planning Proposal process to reclassify council surplus land at 1 and 11 Beaufort Street, Blayney as resolved by council.

Blayney Council staff members Claire Johnstone (Senior Planner) and Patsy Moppett (Senior Planner) were also in attendance.

Proposed reclassification sites

The sites proposed for reclassification from 'community' to 'operational' land are:

- 1 Beaufort Street, Blayney and
- 11 Beaufort Street, Blayney

At the outset of the hearing the following comments were made:

- The role of the facilitator is to listen to the issues, comments and concerns raised:
- The facilitator and council officers would take notes; and
- Questions may be asked where a point was not understood or required clarification

Heather Nicholls then invited the participant to address the hearing by way of comment, objection or support.

Legislative context

Pursuant to Section 25 of the Local Government Act 1993 all public land must be classified. There are two classifications for public land – community and operational. Section 27 of the Act provides that the classification or reclassification of land may be made by a Local Environmental Plan. Section 29 of the Act states council must arrange a public hearing where it is proposed to reclassify community land to operational land.

Consideration of sites

The following is a description of the two sites and the verbal submission given in response to the proposed reclassification:

Lot 1 Beaufort Street, Blayney being land described as Lot 19 DP 244853

Lot 11 Beaufort Street, Blayney being land described as Lot 7 DP 236443

Current and proposed reclassification:

Current	Proposed
Community	Operational

Reason for reclassification:

Lot 19 DP 244853 has an area of 9535m² and is dedicated has been dedicated as a Public Reserve since the subdivision of the site in 1973. The site has no significant recreational infrastructure.

Lot 7 DP 236443 has an area of approximately 80m² and adjoins the Beaufort Street road reserve. The area was dedicated as a Public Reserve in 1977. The site has no significant recreational infrastructure.

The Blayney Settlement Strategy 2012 identified a demand for additional dwellings in the town of Blayney and also identified a surplus of community land available for recreational purposes. The proposed land reclassification seeks to enable to development of the land for residential purposes. Lot 7 is proposed to be offered for consolidation with lots to the north of the parcel of land. Lot 19 is to be made available for urban infill development opportunities.

Council's proposed future use of the land

Reclassification of both allotments of land would provide council with greater flexibility for the future use of the land.

Verbal submission

One verbal submission was received regarding 1 Beaufort Street, Blayney.

Key issues raised by Ms Maree Collins are identified as follows:

- The allotment is affected by a drainage corridor and is subject to localised flooding during storm peaks.
- Development of the site for housing will need to take into account the overland flow paths and drainage issues.
- The site is currently vacant and occasionally mown by council. The area is used at times for vehicles doing 'burn outs' and circuit work. At other times people use the site as a golf practise area. Both uses have been the cause of local concern.
- There was no concern regarding the consolidation of the small allotment into rear yards of existing properties.

Leon Rodwell acknowledged the importance of local information and asked if Mrs Collins would consider providing colour copies of photos provided in her precious written submission. Council's access to such information showing the land affected by stormwater / overland flow would be of assistance in designing adequate storm drainage measures should the site be subject to future subdivision and/or residential development.

Ms Collins offered to provide copies of photos to council, plus copies of other similar images in her ownership.

Summary of issues

The observation that Lot 19 accommodated overland water flow / drainage was acknowledged by council. Any future development of the site, subsequent to the reclassification of the land, would have to adequately address a range of issues including environmental and engineering issues including adequate design of service corridors and drainage facilities within the site. The Director Environmental Services gave a commitment that community consultation would be undertaken should development of the site be proposed in the future. It was also indicated that should council consider developing the site a concept plan may be prepared and community comment sought.

Recommendation

It is recommended that the reclassification of each allotment is appropriate and that the council proceed with the making of the draft Blayney Local Environmental Plan to effect reclassification of 1 and 11 Beaufort Street, Blayney, from community to operational land

Next step

The independent report of the outcomes of the public hearing will be submitted to Blayney Council for consideration along with the draft Blayney Local Environmental Plan. The report from the public hearing, as required by law, is to be made available to the community.

Once endorsed by council the documentation will be forwarded to Department of Planning & Infrastructure for final notification of the plan. Should the Minister approve the draft Local Environmental Plan and the lands be reclassified to operational land, the local Blayney community and any affected parties would be notified by council of the outcome.